



TAMIL NADU

GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 250] CHENNAI, THURSDAY, AUGUST 1, 2024
Aadi 16, Kurothi, Thiruvalluvar Aandu-2055

Part V—Section 4

Notifications by the Election Commission of India

NOTIFICATIONS BY THE ELECTION COMMISSION OF INDIA

JUDGEMENT OF THE HIGH COURT OF MADRAS IN ELECTION
PETITION No. 03 OF 2019

No. SRO G-33/2024.

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 16th July, 2024 [25 Ashadha, 1945 (Saka)] is published:-

No. 82/TN-HP/(EP 03 of 2019)/2024/SS-I: – In pursuance of section 106 (a) of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order of the Hon'ble High Court of Madras dated 14.06.2024 in Election Petition No. 03 of 2019.

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 14TH DAY OF JUNE, 2024

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

Election Petition No. 03 of 2019

AND

OA.No.975 of 2019

ELP No.3 of 2019:-

A.Santhana Kumar,
5E-48/NA,
Munisamy Nagar,
Thoothukudi – 628 008.

...*Petitioner*

-VS-

1. The Chief Election Commissioner,
Nirvachan Sadhan,
Ashoka Road, New Delhi – 110001.
2. Kanimozhi Karunanidhi,
No.14, I Main Road, CIT Colony,
Mylapore, Chennai 600 004.
3. G.Saravanan,
No.146, 11, Guruspuram,
Thoothukudi Taluk,
Thoothukudi District – 628 001.
4. B.Selvin,
S/o.G.Balasingh,
106H/3, Duvipuram, 2nd Street,
VVD Main Road,
Thoothukudi Taluk 628 003.
5. S.Lourdes,
Door No.7/700, Amandivalli Road,
Mootam Post,
Kalkulam Taluk,
Kanyakumari District 629 202.
6. J. Sivaneswaran,
S/o. Jegaveera Pandian,
7/32A, West Street,
Panicka Nadar Kudiiruppu,
Tiruchendur Taluk, Thoothukudi 628 218.
7. A. Jeyaraj,
No.112, Karungulam,
Pandiyan Kulam,
Srivaikundam Taluk, Thoothukudi.
8. A. Ramesh,
39/39, Emperor Street,
Thoothukudi.
9. V. Siva,
No.34/1, Bryant Nagar, 3rd Street,
Thoothukudi 628 008.

10. Aamalan Rajiv Bonifas,
S/o. High Court Durai,
371, Santhankulamvazhi,
Kalunguvilai, Komanaeri,
Thoothukudi District.
11. M.Bhuvaneshwaran,
S/o. Malaiandi Nadar,
Door No.5/102, South Street,
Mela Alwarthoppu Post, Srivaikundam Taluk,
Thoothukudi District 628 612.
12. K.Guru,
S/o. Kaliaperumal,
39, 18th Street, Padmavathi Nagar,
Madambakkam, Kancheepuram District.
13. P. Ramakrishnan,
S/o. Paul,
Door No.3/56, Middle Street,
Kandaswampuram,
Melapandyapuram,
Otapidaram Taluk.
14. M.Sankaralingam,
S/o. Muthu Nadar,
1/11-66, Mela Street, Vallivillaikanum,
Thoothukudi District.
15. Sunman,
No.40, Boldenpuram, I Street,
Thoothukudi.
16. M.Rajalingam,
S/o. Muthu Nadar,
1/11-Mela Street, Vallivillaikanum,
Thoothukudi District.
17. T.Marakatha Raghava Raj,
S/o. Thangarai,
24A, Kaniyalar Street, Arumuganeri,
Tiruchendur Taluk 628 202.
18. D.Jayaganesh,
S/o. Duraimani,
2/203, Middle Street, Perurani,
Thoothukudi District 628 103.
19. Jasper Gnana Martin,
S/o. Gnanamuthu,
No.111/11D/1A/1, SKSR Colony,
Bolpettai, Thoothukudi District – 628 002.

20. R. Sennai Natarajan,
S/o.Ramaiah,
Door No.55/83, 2nd Street,
Krishnapalayam,
Arapalayam Cross Road,
Madurai District.
21. M.Ganesan,
S/o. E.Murugan,
Pillaiyar Koil Street,
Door No.122, Vasavapuram,
Thiruvaikandu Taluk,
Thoothukudi District.
22. J. Ravishankar,
S/o. Jayachandran,
303, Kadalaikara Street, Lane-1,
Kovilpatti 628 501.
23. TPS.Pon Kumaran,
S/o.Srinivasagam,
289-B, Sivathikulam Road,
Thoothukudi 628 003.
24. S.Ponraj,
No.136, Lakshmi Managaram,
Middle Street,
Arumuganeri 628 202.
25. Ponnuswamy,
69/6, East Street,
Sankaralingapuram, Kovilpatti,
Thoothukudi District.
26. M.Antohillery,
S/o. T.Mariasosai Micheal,
2G/117A, Kokur Main Road,
Rajiv Nagar West,
Thoothukudi 628 008.
27. M.Ramakrishnan,
S/o.Late C.Mylsamy,
2/331, Bharadhidasan Nagar,
Kuralkuttai Via,
Bodipatti, Tiruppur District.
28. M.Maharajan,
S/o.Mandhiram,
Door No.6/58, South Street,
Muthulakshmiapuram,
Meighanapuram, Tiruchendur Taluk.

29. Dr.Tamilisai Soundararajan,
No.7, Logaih Colony,
4th Cross Street, Saligramam,
Chennai 600 093.
30. S.Christantine Rajasekar,
19/32, Udangudi Road,
Paramakurichi, Tiruchendur.
31. E.V.S.Rajakumar Naidu,
S/o. Subbarayulu,
B-1, Bhimasena Flat, No.3,
Mures Gate Road, Alwarpet,
Chennai 600 018.
32. P. Balamurugan,
S/o.Pooraja
9/39-4, Kamarajar Nagar West Street,
Kootampalli, Pudukottai,
Thoothukudi 628 103.
33. S. Germanus,
S/o. Singrayar,
No.1, Saint Susaiapar North Car Street,
Pannagudi 627109, Radhapuram Taluk,
Tirunelveli.
34. C.Subhashini Malathi,
D/o.M.T.Chandrakanth,
1/261, Alangara Thatta,
Arockiyapuram Post,
Thoothukudi Ditric 628 002.
35. ER.P.Pradeep Ganesan,
S/o.Perianban,
Door No.371/1,
Kelashanmugapuram,
Proper Street, Thoothukudi 628 003.
36. P.Rajkumar,
S/o.Bolaih,
57-D,Sathur Main Road,
Kovilpatti,
Thoothukudi District
37. Gabriel James Fernando,
S/o.Xavier Fernando,
No.3/168-B, Zion Nagar,
Uzhavankonam, Kaniyakulam,
Nagercoil,
Kanyakumari District 629 003.

38. G.James,
S/o.D.Gabriel,
Door No.4/5, Kavalkadu,
Idayarkadu Post, Srivaikundam,
Thoothukudi 628 802.

...Respondents

The Election petition No.3 of 2019 praying that this Hon'ble Court be pleased to declare the election of the returned candidate, the 2nd respondent herein, from No.36, Thoothukudi Constituency, in the Lok Sabha election conducted pursuant to the Notification of the 1st respondent dated 19.03.2019, as void and set aside the same.

OA.No.975 Of 2019

The Chief Election Commissioner,
Nirvachan Sadhan,
Ashoka Road, New Delhi – 110 001.

... Applicant/1st Respondent

-VS-

1. A.Santhana Kumar,
5E-48/NA,
Munisamy Nagar,
Thoothukudi-628 008.
2. Kanimozhi Karunanidhi,
No.14, I Main Road, CIT Colony,
Mylapore, Chennai-600 004.
3. G.Saravanan,
No.146, 11, Guruspuram,
Thoothukudi Taluk,
Thoothukudi District – 628 001.
4. B.Selvin,
S/o.G.Balasingh,
106H/3, Duvipuram, 2nd Street,
VVD Main Road,
Thoothukudi Taluk-628 003.
5. S.Lourdes,
Door No.7/700, Amandivalli Road,
Mootam Post,
Kalkulam Taluk,
Kanyakumari District-629 202.
6. J. Sivaneswaran,
S/o. Jegaveera Pandian,
7/32A, West Street,
Panicka Nadar Kudiiruppu,
Tiruchendur Taluk, Thoothukudi-628 218.

... 1st Respondent / Election Petitioner

7. A. Jeyaraj,
No.112, Karungulam,
Pandiyan Kulam,
Srivaikundam Taluk, Thoothukudi.
8. A.Ramesh,
39/39, Emperor Street,
Thoothukudi.
9. V.Siva,
No.34/1, Bryant Nagar, 3rd Street,
Thoothukudi-628 008.
10. Aamalan Rajiv Bonifas,
S/o. High Court Durai,
371, Santhankulamvazhi,
Kalunguvilai, Komanaeri,
Thoothukudi District.
11. M.Bhuvaneshwaran,
S/o. Malaiandi nadar,
Door No.5/102, South Street,
Mela Alwarthoppu Post, Srivaikundam Taluk,
Thoothukudi District-628 612.
12. K.Guru,
S/o. Kaliaperumal,
39, 18th Street, Padmavathi Nagar,
Madambakkam, Kancheepuram District.
13. P. Ramakrishnan,
S/o.Paul,
Door No.3/56, Middle Street,
Kandaswamypuram,
Melapandyapuram,
Otapidaram Taluk.
14. M.Sankaralingam,
S/o.Muthu Nadar,
1/11-66, Mela Street, Vallivillaikanum,
Thoothukudi District.
15. Sunman,
No.40,Boldenpuram, I Street,
Thoothukudi.
16. M.Rajalingam,
S/o. Muthu Nadar,
1/11-Mela Street, Vallivillaikanum,
Thoothukudi District.

17. T.Marakatha Raghava Raj,
S/o.Thangarai,
24A, Kaniyalar Street, Arumuganeri,
Tiruchendur Taluk-628 202.
18. D.Jayaganesh,
S/o.Duraimani,
2/203, Middle Street, Perurani,
Thoothukudi District 628 103.
19. Jasper Gnana Martin,
S/o.Gnanamuthu,
No.111/11D/1A/1, SKSR Colony,
Bolpettai, Thoothukudi District – 628 002.
20. R.Sennai Natarajan,
S/o.Ramaiah,
Door No.55/83, 2nd Street,
Krishnapalayam,
Arapalayam Cross Road,
Madurai District.
21. M.Ganesan,
S/o. E. Murugan,
Pillaiyar Koil Street,
Door No.122, Vasavapuram,
Thiruvaikandu Taluk,
Thoothukudi District.
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303, Kadalaikara Street, Lane-1,
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S/o.Srinivasagam,
289-B, Sivathikulam Road,
Thoothukudi-628 003.
24. S.Ponraj,
No.136, Lakshmi Managaram,
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Arumuganeri-628 202.
25. Ponnuswamy,
69/6, East Street,
Sankaralingapuram, Kovilpatti,
Thoothukudi District.

26. M.Antohillery,
S/o. T.Mariasosai Micheal,
2G/117A, Kokur Main Road,
Rajiv Nagar West,
Thoothukudi 628 008.
27. M.Ramakrishnan,
S/o.Late C.Mylsamy,
2/331, Bharadhidasan Nagar,
Kuralkuttai Via,
Bodipatti, Tiruppur District.
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S/o.Pooraja
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Thoothukudi Ditric.
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S/o. Singrayar,
No.1, Saint Susaiapar North Car Street,
Pannagudi-627109, Radhapuram Taluk,
Tirunelveli.
34. C. Subhashini Malathi,
D/o.M.T.Chandrakanth,
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S/o.D.Gabriel,
Door No.4/5, Kavalkadu,
Idayarkadu Post,
Srivaikundam,
Thoothukudi-628 802.

...Respondents

This Original Application praying that this Hon'ble Court be pleased to strike off the 1st respondent as a respondent in the Election Petition.

These Election Petition and Original Application coming on this day before this Court for hearing in the presence of Mr.S.Makesh, advocate for the Election Petitioner/1st Respondent and Mr.P. Wilson, Senior Counsel for M/s.P.Wilson Associates, advocates for the 2nd Respondent/2nd Respondent herein; Mr.Niranjan Rajagopalan, advocate for the 1st Respondent/Applicant; Mr. K. Swamidurai, Advocate for the 20th Respondent/20th Respondent; Mr.J.David Ganesan, Advocate for the 24th Respondent/24th Respondent; and upon reading the Election Petition and Verification Affidavit of A.Santhana Kumar, Judges Summon and affidavit of Satyabrata Sahoo, filed herein and the Common counter Affidavit of A.Santhana Kumar filed in OA.Nos.975 & 976/2019 and in view of the judgement passed by the Hon'ble Supreme Court of India, no further adjudication is required in the present Election Petition as well as in the Original Application

it is ordered as follows:-

That the Election Petition No.3 of 2019 and Original Application No.975 of 2019 in ELP No.3 of 2019 be and are hereby dismissed.

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY 11

2. That there shall be no order as to costs.

WITNESS, THE HON'BLE THIRU.JUSTICE R.MAHADEVAN, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 14TH DAY OF JUNE, 2024.

Sd./ –
ASSISTANT REGISTRAR,
Original Side – II.

//Certified to be true copy//

Dated at Madras this the 21st day of June 2024.

Court Officer (O.S.)

'Madras High Court is issuing certified copies in this format from 17/07/2023'

PK

20/06/2024

ELP. No. 3 of 2019 and
OA.No. 975 of 2019

DECREE DATED: 14/06/2024

THE HON'BLE MR. JUSTICE
S.M.SUBRAMANIAM

FOR APPROVAL: 20/06/2024

APPROVED ON: 20/06/2024

Copy to: –

The Chief Election Commissioner,
Nirvachan Sadan,
Ashoka Road,
New Delhi – 110 001.

IN THE HIGH COURT OF JUDICATURE AT MADRAS (ORDINARY ORIGINAL
CIVIL JURISDICTION)

FRIDAY, THE 14TH DAY OF JUNE, 2024

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

Election Petition No. 3 of 2019 and

OA. NO. 975 of 2019

ELP No.3 of 2019:-

A.Santhana Kumar,
5E-48/NA,
Munisamy Nagar,
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... *Petitioner*

-VS-

- 1 The Chief Election Commissioner,
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Mylapore, Chennai 600 004./
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S/o. Jegaveera Pandian,
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S/o. High Court Durai,
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Thoothukudi District.
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S/o. Malaiandi Nadar,
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38. G.James,
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Door No.4/5, Kavalkadu,
Idayarkadu Post, Srivaikundam,
Thoothukudi 628 802.

...Respondents

The Election petition No.3 of 2019 praying that this Hon'ble Court be pleased to declare the election of the returned candidate, the 2nd respondent herein, from No.36, Thoothukudi Constituency, in the Lok Sabha election conducted pursuant to the Notification of the 1st respondent dated 19.03.2019, as void and set aside the same.

OA.No.975 Of 2019

- 1 The Chief Election Commissioner,
Nirvachan Sadhan,
Ashoka Road, New Delhi — 110001. ...Applicant/1st Respondent

-Vs-

A. Santhana Kumar,
5E-48/NA,
Munisamy Nagar,
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.. 1st Respondent / Election Petitioner

2. Kanimozhi Karunanidhi,
No.14, I Main Road, CIT Colony,
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Thoothukudi District.
15. Sunman,
No.40,Boldenpuram, I Street,
Thoothukudi.
16. M. Rajalingam,
S/o. Muthu Nadar,
1/11-Mela Street, Vallivillaikanum,
Thoothukudi District.
17. T.Marakatha Raghava Raj,
S/ o.Thangarai,
24A, Kaniyalar Street, Arumuganeri,
Tiruchendur Taluk 628 202.
18. D.Jayaganesh,
S/o.Duraimani,
2/203, Middle Street, Perurani,
Thoothukudi District 628 103.
19. Jasper Gnana Martin,
S/o.Gnanamuthu,
No.111/11D/1A/1, SKSR Colony,
Bolpettai, Thoothukudi District – 628 002.
20. R.Sennai Natarajan,
S/o.Ramaiah,
Door No.55/83, 2nd Street,
Krishnapalayam,
Arapalayam Cross Road,
Madurai District.
21. M.Ganesan,
S/o. E.Murugan,
Pillaiyar Koil Street,
Door No.122, Vasavapuram,
Thiruvaikandu Taluk,
Thoothukudi District.
22. J .Ravishankar,
S/o.Jayachandran,
303, Kadalaikara Street, Lane-1,
Kovilpatti 628 501.
23. TPS.Pon Kumaran,
S/o.Srinivasagam,
289-B, Sivathikulam Road,
Thoothukudi 628 003.

24. S.Ponraj,
No.136, Lakshmi Managaram,
Middle Street,
Arumuganeri 628 202.
25. Ponnuswamy,
69/ 6, East Street,
Sankaralingapuram, Kovilpatti,
Thoothukudi District.
26. M.Antohillery,
S/o. T.Mariasoosai Micheal,
2G/ 117A, Kokur Main Road,
Rajiv Nagar West,
Thoothukudi 628 008.
27. M.Ramakrishnan,
S/o.Late C.Mylsamy,
2/331, Bharadhidasan Nagar,
Kuralkuttai Via,
Bodipatti, Tiruppur District.
28. M.Maharajan,
S/ o.Mandhiram,
Door No.6/58, South Street,
Muthulakshmipuram,
Meighanapuram, Tiruchendur Taluk.
29. Dr.Tamilisai Soundararajan,
No.7, Logaih Colony,
4th Cross Street, Saligramam,
Chennai 600 093.
30. S.Christantine Rajasekar,
19/32, Udangudi Road,
Paramakurichi, Tiruchendur.
31. E.V.S.Rajakumar Naidu,
S/ o. Subbarayulu,
B-1, Bhimasena Flat, No.3,
Mures Gate Road, Alwarpet,
Chennai 600 018.
32. Balamurugan,
S/o.Pooraja
9/39-4, Kamarajar Nagar West Street,
Kootampalli, Pudukottai,
Thoothukudi District.

33. S. Germanus,
S/o. Singrayar,
No.1, Saint Susaiapar North Car Street,
Pannagudi 627109, Radhapuram Taluk,
Tirunelveli.
34. C.Subhashini Malathi,
D/ o.M.T.Chandrakanth,
1/261, Alangara Thatta,
Arockiyapuram Post,
Thoothukudi District 628 002.
35. ER.P.Pradeep Ganesan,
S/o.Perianban,
Door No.371/1,
Kelashanmugapuram,
Proper Street, Thoothukudi 628 003.
36. P.Rajkumar,
S/o.Bolaih,
57-D,Sathur Main Road,
Kovilpatti,
Thoothukudi District.
37. Gabriel James Fernando,
S/o.Xavier Fernando,
No.3/168-B, Zion Nagar,
Uzhavankonam, Kaniyakulam,
Nagercoil,
Kanyakumari District 629 003.
38. G.James,
S/o.D.Gabriel,
Door No.4/5, Kavalkadu,
Idayarkadu Post, Srivaikundam,
Thoothukudi 628802.

...Respondents

This Original Application praying that this Hon'ble Court be pleased to strike off the 1st respondent as a respondent in the Election Petition.

These Election Petition and Original Application coming on this day before this Court for hearing in the presence of Mr.S.Makesh, advocate for the Election Petitioner/1st Respondent and Mr. P. Wilson, Senior Counsel for M/s.P.Wilson Associates, advocates for the 2nd Respondent/2nd Respondent herein; Mr.Niranjan Rajagopalan, advocate for the 1st Respondent/Applicant; Mr.K.Swamidurai, Advocate for the 20th Respondent/20th Respondent; Mr.J.David Ganesan, Advocate for the 24th Respondent/24th Respondent; and upon reading the Election Petition and Verification Affidavit of A. Santhana Kumar, Judges Summon and affidavit of Satyabrata Sahoo, filed herein and the Common counter Affidavit of A.Santhana Kumar filed in OA.Nos.975 & 976/2019

the Court made the following order:-

In view of the judgment passed by the Hon'ble Supreme Court of India in the case of **Kanimozhi Karunanidhi vs. A.Santhana Kumar and Others [2023 SCC OnLine SC 573]**, no further adjudication is required in the present Election Petition as well as in the Original Application. Consequently the Election Petition No.3 of 2019 and OA No.975 of 2019 stand dismissed. However, there shall be no order as to costs.

WITNESS, THE HON'BLE THIRU.JUSTICE R.MAHADEVAN, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 14TH DAY OF JUNE, 2024.

Sd./ –
ASSISTANT REGISTRAR,
Original Side – II.

//Certified to be true copy//

Dated at Madras this the 21st day of June 2024.

Court Officer (O.S.)

'Madras High Court is issuing certified copies in this format from 17/07/2023'

PK

20/06/2024

ELP. NO. 3 of 2019
and
OA.No. 975 of 2019

ORDER DATED: 14/06/2024

THE HON'BLE MR. JUSTICE
S.M.SUBRAMANIAM

FOR APPROVAL: 20/06/2024

APPROVED ON: 20/06/2024

Copy to: –

The Chief Election Commissioner,
Nirvachan Sadan,
Ashoka Road,
New Delhi – 110 001.

(By Order)

MALAY MALLICK,
Principal Secretary,
Election Commission of India.

Secretariat,
Chennai-600 009,
1st August, 2024.

SATYABRATA SAHOO,
Chief Electoral Officer and
Principal Secretary to Government.